

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

UNITED STATES OF AMERICA : **CRIMINAL NO. 08-_____**
v. : **DATE FILED: _____**
PRISCILLA TORRES : **VIOLATIONS:**
: **18 U.S.C. § 371 (conspiracy - 1 count)**
: **18 U.S.C. § 1344 (bank fraud - 1 count)**
: **18 U.S.C. § 1028A (aggravated identity**
: **theft - 1 count)**
: **18 U.S.C. § 2 (aiding and abetting)**
: **Notice of forfeiture**
:

INDICTMENT

COUNT ONE

THE GRAND JURY CHARGES THAT:

At all times material to this indictment:

1. Citizens Bank and Wachovia Bank were financial institutions conducting business in the Eastern District of Pennsylvania and elsewhere, the deposits of which were insured by the Federal Deposit Insurance Corporation.

2. From in or about December 2005 through on or about April 5, 2006, in Philadelphia, in the Eastern District of Pennsylvania, District of New Jersey and the District of Delaware, and elsewhere, defendant

PRISCILLA TORRES

conspired and agreed, with others known and unknown to the grand jury, to commit offenses against the United States, that is, to knowingly execute, and attempt to execute, and aid and abet the execution of, a bank fraud, in violation of Title 18, United States Code, Section 1344, and to knowingly and without lawful authority use a means of identification of another person during and in relation to a bank fraud, in violation of Title 18, United States Code, Section 1028A(a)(1).

MANNER AND MEANS

3. It was part of the conspiracy that defendant PRISCILLA TORRES and others known and unknown to the grand jury used the names, dates of births, addresses, social security numbers, bank account numbers and other means of identification of customers of Citizens Bank and Wachovia Bank (collectively referred to as “the banks”) to enrich themselves and defraud the banks by posing as customers of the banks at the teller windows and cashing fraudulent checks and counterfeit checks made payable to the banks’ customers or withdrawing funds from the customers’ accounts.

It was further a part of the conspiracy that:

4. Defendant PRISCILLA TORRES acted as a “check runner,” posing as various bank customers and cashing fraudulent checks made payable to those customers. In that capacity, defendant TORRES performed some or all of the following:

a. she received, from Co-Conspirator 1, a person known to the grand jury, “cheat-sheets” on which was printed the bank customer’s name, date of birth, social security number, and bank account number;

b. she received, from Co-Conspirator 1 and Co-Conspirator 2, a person known to the grand jury, the bank customers' account information and false photographic identification in the name of the customers;

c. she received, from Co-Conspirator 1 and Co-Conspirator 2, fraudulent checks and was instructed by Co-Conspirator 1 to cash those checks at the banks;

d. she was provided, by Co-Conspirator 1, transportation to and from the banks to cash the fraudulent checks, and she accompanied Co-Conspirator 1 and Co-Conspirator 3, a person known to the grand jury, and others in a car when Co-Conspirator 3 and others conducted fraudulent transactions at the banks;

e. she gave the proceeds received from cashing each fraudulent check to Co-Conspirator 1 when she returned to the car driven by Co-Conspirator 1; and

f. she was paid for her services by Co-Conspirator 1 and Co-Conspirator 2 at the end of each day that she cashed fraudulent checks.

5. Defendant PRISCILLA TORRES fraudulently obtained, and aided and abetted the obtaining of, over \$9,000 from the cashing of fraudulent checks.

OVERT ACTS

In furtherance of the conspiracy, defendant PRISCILLA TORRES, and others known and unknown to the grand jury, committed the following overt acts in the Eastern District of Pennsylvania and elsewhere:

CITIZENS BANK

1. On or about January 6, 2006, defendant PRISCILLA TORRES was provided, by Co-Conspirator 1 and Co-Conspirator 2, with necessary means of identification and personal information of a Citizen Bank customer, A.B., and fraudulent checks made payable to that Citizens Bank customer.

2. On or about January 6, 2006, at the direction of Co-Conspirator 1, defendant PRISCILLA TORRES presented two fraudulent endorsed checks at different Citizens Bank branches. When cashing these checks, defendant TORRES falsely claimed to be A.B., a Citizens Bank account holder. Defendant TORRES presented the fraudulent identification and personal and bank account information for A.B. that she received from Co-Conspirator 1 and Co-Conspirator 2 when she asked the bank tellers to process her transactions.

3. By cashing the checks in A.B.'s name, defendant PRISCILLA TORRES stole approximately \$9,243 from Citizens Bank.

4. On or about January 6, 2006, after each fraudulent transaction, defendant PRISCILLA TORRES gave the proceeds to Co-Conspirator 1, who then gave all of the proceeds from the transactions to Co-Conspirator 2.

WACHOVIA BANK

5. On or about April 5, 2006, defendant PRISCILLA TORRES accompanied Co-Conspirator 1 and G.G., a person known to the grand jury, on a trip to cash fraudulent checks at Wachovia Bank.

6. On or about April 5, 2006, with TORRES present in the car, Co-Conspirator 1 provided G.G. with fraudulent identification for, personal and bank account information for, and a fraudulent check made payable to, F.J., a Wachovia Bank customer, and directed G.G. to cash the fraudulent check at Wachovia Bank. The teller refused to cash this check.

7. On or about April 5, 2006, police stopped the car containing Co-Conspirator 1, defendant PRISCILLA TORRES, and G.G. Defendant TORRES held an envelope containing fraudulent identification and a fraudulent credit card for, and fraudulent checks made payable to, A.W., a Wachovia Bank customer, which had been given to her by Co-Conspirator 1.

All in violation of Title 18, United States Code, Section 371.

COUNT TWO

THE GRAND JURY FURTHER CHARGES THAT:

1. Paragraphs 1, 3 and 4 and Overt Acts 1 through 4 of Count One are realleged here.
2. On or about January 6, 2006, in the Eastern District of Pennsylvania and elsewhere, defendant

PRISCILLA TORRES

knowingly executed, and aided and abetted the execution of, a scheme to defraud Citizens Bank, and to obtain monies owned by and under the care, custody, and control of that bank by means of false and fraudulent pretenses, representations, and promises.

THE SCHEME

3. Defendant PRISCILLA TORRES used stolen account information and false identification documents to cash fraudulent checks and share the proceeds.
4. In furtherance of the scheme, defendant PRISCILLA TORRES cashed the following fraudulent checks:

<u>DATE</u>	<u>LOCATION</u>	<u>VICTIM ACCOUNT HOLDER</u>	<u>AMOUNT</u>
01/06/06	Brookhaven, PA	A.B.	\$4,609
01/06/06	Wilmington, DE	A.B.	\$4,634

All in violation of Title 18, United States Code, Sections 1344 and 2.

COUNT THREE

THE GRAND JURY FURTHER CHARGES THAT:

On or about January 6, 2006, in the Eastern District of Pennsylvania and elsewhere, defendant

PRISCILLA TORRES

knowingly and without lawful authority possessed and used, and aided and abetted the use of, a means of identification of another person, that is, the name of A.B., during and in relation to bank fraud.

In violation of Title 18, United States Code, Sections 1028A(a)(1), (c)(5) and 2.

NOTICE OF FORFEITURE

THE GRAND JURY FURTHER CHARGES THAT:

1. As a result of the violations of Title 18, United States Code, Sections 371, 1344 and 1028A, set forth in this indictment, defendant

PRISCILLA TORRES

shall forfeit to the United States of America any property that constitutes, or is derived from proceeds obtained directly or indirectly from the commission of such offenses, including, but not limited to, the sum of \$9,243.

2. If any of the property subject to forfeiture, as a result of any act or omission of the defendant:

- (a) cannot be located upon the exercise of due diligence;
- (b) has been transferred or sold to, or deposited with, a third party;
- (c) has been placed beyond the jurisdiction of the Court;
- (d) has been substantially diminished in value; or
- (e) has been commingled with other property which cannot be divided without difficulty;

it is the intent of the United States, pursuant to Title 18, United States Code, Section 982(b), incorporating Title 21, United States Code, Section 853(p), to seek forfeiture of any other property of the defendant up to the value of the property subject to forfeiture.

All pursuant to Title 18, United States Code, Section 982(a)(2).

A TRUE BILL:

GRAND JURY FOREPERSON

**PATRICK L. MEEHAN
UNITED STATES ATTORNEY**